

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DARRYL L. FITZHUGH

Plaintiff

V.

Case No. 5:24-cv-00845-JD

GOOGLE TRUST SERVICES LLC, META
PLATFORMS, INC., ANDROID
INDUSTRIES, INC. and MICROSOFT
CORPORATION

Defendants

**GOOGLE TRUST SERVICES LLC’S MOTION FOR
EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

Pursuant to LCvR6.3 and Federal Rule of Civil Procedure 6(b)(1), Defendant Google Trust Services LLC (“Google”) respectfully requests an order extending its October 28, 2024 deadline to file a response to Plaintiff’s Complaint (Doc. 1) until November 26, 2024. In support hereof, Google states:

1. Plaintiff Darryl Fitzhugh (“Plaintiff”) filed this action on August 15, 2024 against Android Industries LLC, Google, Meta Platforms Inc, and Microsoft Corporation [Doc. 1].

2. Plaintiff improperly served Google on August 29, 2024 [Doc. 6].

3. Defendants Android Industries LLC and Microsoft Corporation moved to dismiss Plaintiff's Complaint for, inter alia, failure to state a claim under Fed. R. Civ. P. 12(b)(6) [Doc. 9, 16].

4. By Order dated October 18, 2024 [Doc. 11], Plaintiff was ordered to show cause why this case should not be dismissed for lack of federal subject-matter jurisdiction. Upon information and belief, Plaintiff has yet to comply with the Court's order.

5. Google's current deadline to file a response to Plaintiff's Complaint is October 28, 2024. Google is still investigating the claims in Plaintiff's Complaint, which is not a model of clarity. Additionally, previous commitments of counsel would make it difficult to prepare a motion to dismiss by October 28, 2024.

6. Google has not filed any previous motions that seek an extension of time.

7. The requested extension is sought in good faith and not for purposes of delay.

8. The Court has not entered a Scheduling Order and no other deadlines appear to be impacted by this requested extension.

9. Plaintiff opposes this request for an extension.

RELIEF REQUESTED

WHEREFORE, Google prays that the Court grant this Motion and enter an order extending the time for Google to respond to Plaintiff's Complaint until November 26, 2024.

Respectfully submitted,

HARTZOG CONGER CASON

By: s/William A. Johnson

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**ATTORNEYS FOR DEFENDANT
GOOGLE TRUST SERVICES LLC**

CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2024, I electronically transmitted the attached document to the Clerk of Court using the Electronic Case Filing System for filing. Based on the records currently on file in this case, the Clerk of Court will transmit a Notice of Electronic Filing to those registered participants of the ECF System. Additionally, the same document was sent by U.S. Mail, postage pre-paid, and e-mail to the following individual:

Darryl L. Fitzhugh
3819 N. Geraldine Ave. #31
Oklahoma City, OK 73112
Email: mrddarryllscorp@outlook.com

/s/William A. Johnson

William A. Johnson